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improper file wrapper continuation under C.F.R. 1.62 and received no filing date.

Furthermore, on October 30, 1990, essentially as soon as Applicant received the incorrect filing date and before receipt of your October 31, 1990, letter, Applicant filed a form requesting a corrected filing receipt (see Enclosure D).

Enclosed you will find a \$120.00 petition fee, but since this was a Patent Office error, please return the fee. The Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 03-2411. A duplicate copy of this Petition is enclosed.

Applicant therefore requests that the subject patent application be afforded a proper filing date of September 14, 1990, instead of the incorrect filing date of September 18, 1990 and the subject application be permitted to continue to be prosecuted to allowance.

Respectfully submitted,

ARTHUR R. HAIR

By Ansel Schwartz

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Attorney for Applicant

**CERTIFICATE OF MAILING**

I hereby certify that the correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231, on 12/14/90

Ansel Schwartz

Ansel M. Schwartz  
Registration No. 30,587

12/14/90

Date

INVOICE #/DETAIL

CLIENT # MATTER #

DESCRIPTION

AMOUNT

091290

09/12/90

2102/001

185.00

\$\*\*\*\*185.00\*

ENCLOSURE A

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 2102.001 CONT  
Anticipated Classification of this application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_  
Prior application:  
Examiner: H. Nguyen  
Art Unit: 239

Box FWC  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

## FILE WRAPPER CONTINUING APPLICATION (FWC) (37 CFR 1.62)

- WARNING:** This form cannot be used where the parent case may not be abandoned since the filing of a request under the FWC procedure "will be considered to be a request to expressly abandon the prior application as of the filing date granted to the continuing application." 37 CFR 1.62(g).
- WARNING:** This procedure can only be used for a pending application prior to payment of the issue fee. 37 CFR 1.62(a).
- WARNING:** The filing of an application as the United States stage of an international application requires an oath or declaration. 37 CFR 1.61(a)(4).
- WARNING:** The claims of this new application may be finally rejected in the first Office action where all claims of the new application are drawn to the same invention claimed in the earlier application and would have been properly finally rejected on the grounds or art of record in the next Office action if they had been entered in the earlier application. MPEP § 706.07(b).
- WARNING:** An application under 37 CFR 1.62 is filed by making changes by amendment to the prior application, 37 CFR 1.62(a), and not by filing a new application.
- WARNING:** Filing under 37 CFR 1.62 is permitted only if filed by the same or less than all the inventors named in the prior application.

I. This is a request for a filing under the file wrapper continuing application procedure, 37 CFR 1.62, for a

- ☒ continuation  
☐ divisional  
☐ continuation-in-part (for oath or declaration see III below)  
☐ attached is an amendment for added subject matter

## CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this FWC transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date September 14, 1990 in an envelope as "Express Mail Post Office to Addressee" mailing Label Number MB137703489 addressed to the: Commissioner of Patents and Trademarks Washington, D.C. 20231.

Tracey L. Milka

(Type or print name of person mailing paper)

Tracey L. Milka

(Signature of person mailing paper)

**NOTE:** Each paper or fee filed by "Express Mail" has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b).

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2) NEXT DAY SERVICE

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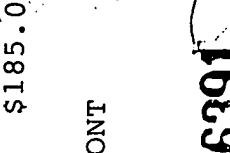
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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

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ENCLOSURE D

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Arthur R. Hair

Serial No.: 07 / 586,391

Group No.: 239

Filed: September 14, 1990

Examiner:

For: TRANSMISSION SYSTEM

**RECEIVED**

DEC 17 1990

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

**ASSISTANT  
COMMISSIONER'S OFFICE**

**REQUEST FOR CORRECTED FILING RECEIPT**

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.

2. There is an error in that the following data is:

☒ incorrectly entered

and/or

☐ omitted

☐ Applicant's name

☐ Applicant's address

☐ Title

☒ Filing Date

☐ Serial Number

☐ Foreign/PCT Application Reference

☐ Other

in that the filing receipt should read as follows: 9/14/90

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Tracey L. Milka

(Type or print name of person mailing paper)

Date: 10/30/90

Tracey L. Milka  
(Signature of person mailing paper)

As a substantial part of my job, I file many patent applications, and I always do this by Express Mail. So far, all the applications I have ever mailed (at least more than 100) by

followed the same procedure in mailing and filing the above-identified patent application as I always do and am unaware of any reason why the above-identified patent application should not receive a filing date of September 14, 1990, the date that I placed the above-identified patent application in Express Mail.

Also enclosed is a copy of the return receipt card (see Enclosure C) showing that the above-identified patent application, Preliminary Amendment and copy of Petition for One-Month Extension of Time was mailed on September 14, 1990, but received a mail room stamp of September 18, 1990.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements in the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

12/14/90  
Date

Tracey L. Milka  
Tracey L. Milka